REMARKS/ARGUMENTS

Applicants request interview with the Examiner for expediting the prosecution

Applicants' representative left a voice mail message for the Examiner on 3/36/2008 for setting up a time for an interview. Applicants' representative called the Examiner's telephone on 3/31/2008 and the voice mail indicated that the Examiner was away till April 7, 2008. While Applicants' representative is submitting the current amendment, an interview is being requested prior to review of the amendment, such that prosecution can be expedited.

Claims are amended for expedited prosecution

In this Amendment, Applicants have amended certain method claims and cancelled non-method claims 13-36 from further consideration in this application. Applicants are not conceding that the subject matter encompassed by canceled claims 13-36 or any other claims prior to this Amendment is not patentable over the art cited by the Examiner. Certain claims were amended and claims 13-36 were cancelled in this Amendment solely to facilitate expeditious prosecution of the pending claims. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 13-36 and/or the original claims, as presented prior to this Amendment and additional claims in one or more continuing applications.

Amendments to the Specification

The title and abstract have been amended to remove references to at least system and article of manufacture without adding any new matter.

Trademarks have been capitalized and generic terminology inserted where appropriate.

Amended Independent Claim 1

Amended independent claim 1, is a method, comprising:

determining, by a first device, a possibility of an invalidation of a second device, wherein the first device is coupled to the second device via a fabric;

sending a query from the first device to validate the second device, in response to determining the possibility of the invalidation of the second device; and

determining, at the first device, whether to continue I/O operations from the first device to the second device based on receiving a response to the query within a time period, wherein the method further comprises:

(i) receiving the query at the second device, prior to determining, at the first device, whether to continue I/O operations from the first device to the second device;

(ii) determining, at the second device, whether the first device is a valid initiator to the second device; and

(iii) sending the response from the second device, wherein the response indicates that the second device does not consider the first device to be logged in to the second device, in response to determining that the first device is not the valid initiator to the second device, wherein the first device uses a PDISC Extended Link Service frame, a first LS_ACC frame, a first LOGO frame, and a first LS_RJT frame, wherein the second device uses a second LS_ACC frame a second LOGO frame, and a second LS_RJT frame, and wherein any Input/Ouput (I/O) in progress in the second device is not disrupted in case a login of the first device to the second device is not needed.

The new requirements of : (i) receiving the query at the second device, prior to determining, at the first device, whether to continue I/O operations from the first device to the second device; (ii) determining, at the second device, whether the first device is a valid initiator to the second device; and (iii) sending the response from the second device, wherein the response indicates that the second device does not consider the first device to be logged in to the second device, in response to determining that the first device is not the valid initiator to the second device, are supported by at least original claim 9 that has now been canceled.

The new requirements that the first device uses a PDISC Extended Link Service frame, a first LS_ACC frame, a first LOGO frame, and a first LS_RJT frame, wherein the second device uses a second LS_ACC frame a second LOGO frame, and a second LS_RJT frame are supported by at least FIG. 2 (reference numerals 212, 214, 216, 218) and FIG. 5 (reference numerals 508, 510, 504) of the Application.

The new requirements that any Input/Ouput (I/O) in progress in the second device is not disrupted in case a login of the first device to the second device is not needed are supported by at least paragraphs 17 and 18 of the Application.

In rejecting claim 9 (whose requirements are now included in amended claim 1) under 35 U.S.C. 103(a) as being unpatentable over Frazier (US 6,609,165) in view of FC-FS ("Fibre channel Framing and Signaling") the Examiner has failed to indicate where the cited FC-FS teach or disclose the claim requirements of determining, at the second device, whether the first device is a valid initiator to the second device. In case, the Examiner continues the rejection of the claims the Examiner is requested to indicate which section of the cited FC-FS teach, disclose or suggest the claim limitations of determining, at the second device, whether the first device is a valid initiator to the second device.

Additionally, the amended claim 1 include the following new requirements:

(a) wherein the first device uses a PDISC Extended Link Service frame, a first LS_ACC frame, a first LOGO frame, and a first LS_RJT frame;

(b) wherein the second device uses a second LS_ACC frame, a second LOGO frame, and a second LS_RJT frame; and

(c) wherein any Input/Ouput (I/O) in progress in the second device is not disrupted in case a login of the first device to the second device is not needed;

and these new requirements are not taught, disclosed, or suggested by the cited Frazier or the cited FC-FS either alone or in combination.

For the above reasons, claim 1 is patentable over the cited art.

Dependent claims 2-8, 10-12

The Examiner has also rejected pending claims 2-8, 10-12 that depend on the pending independent claim 1. Applicants submit that these claims are patentable over the cited art because they depend from claim 1 which is patentable over the cited art for the reason discussed above, and because the combination of the limitations in the dependent claims 2-8, 10-12 and the base and intervening claims from which they depend provide further grounds of distinction over the cited art.

Conclusion

For all the above reasons, Applicant submits that the pending claims are patentable. Should any additional fees be required beyond those paid, please charge Deposit Account No. 09-0449.

The attorney/agent of record invites the Examiner to contact him at (310) 557-2292 if the Examiner believes such contact would advance the prosecution of the case.

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By:_____ /Rabindranath Dutta/_____

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